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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/535,287	05/17/2005	Pieter Johannes Werkman	NL 021213	5980
24737	7590	11/17/2008	EXAMINER	
PHILIPS INTELLECTUAL PROPERTY & STANDARDS			ROBINSON, DANIEL LEON	
P.O. BOX 3001			ART UNIT	PAPER NUMBER
BRIARCLIFF MANOR, NY 10510			3742	
MAIL DATE		DELIVERY MODE		
11/17/2008		PAPER		

Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

Office Action Summary	Application No.	Applicant(s)
	10/535,287	WERKMAN ET AL.
	Examiner DANIEL L. ROBINSON	Art Unit 3742

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --
Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If no period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

1) Responsive to communication(s) filed on papers filed 8-12-2008.

2a) This action is FINAL. 2b) This action is non-final.

3) Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

4) Claim(s) 1-18 is/are pending in the application.

4a) Of the above claim(s) is/are withdrawn from consideration.

5) Claim(s) is/are allowed.

6) Claim(s) 1-18 is/are rejected.

7) Claim(s) is/are objected to.

8) Claim(s) are subject to restriction and/or election requirement.

Application Papers

9) The specification is objected to by the Examiner.

10) The drawing(s) filed on is/are: a) accepted or b) objected to by the Examiner.
 Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
 Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).

11) The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

12) Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).

a) All b) Some * c) None of:

1. Certified copies of the priority documents have been received.
2. Certified copies of the priority documents have been received in Application No. .
3. Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

1) Notice of References Cited (PTO-892)
 2) Notice of Draftsperson's Patent Drawing Review (PTO-948)
 3) Information Disclosure Statement(s) (PTO/0256/06)
 Paper No(s)/Mail Date

4) Interview Summary (PTO-413)
 Paper No(s)/Mail Date

5) Notice of Informal Patent Application
 6) Other:

Claim Rejections - 35 USC § 103

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

Claims 1, 3-18 are rejected under 35 U.S.C. 103(a) as being unpatentable over Deevi et al.(U.S.Pat.5,322,075) in view of Shibuta (U.S.Pat.5,908,585). Deevi discloses a heater for an electric article that shows many of the features of the claimed invention including a non-conductive substrate 205 such as Nomex Reg. and Kapton Reg., col. 4 lines 21-46 in a flexible fabric 25-100 mm thick, and a conductive layer 201 made with conductive particles such as gold, silver or carbon/ graphite/carbon-black, col. 5 lines 5-22, made of ink .5-5 mils thick. Deevi also shows using a sol-gel process and an aluminum support for the heaters, Claim 51, that can be used in the home to steam or curl hair. Deevi does not explicitly show a sol-gel precursor such as organosilane. Shibuta discloses an electrically conductive film made with an organosilane precursor. It would have been obvious to one of ordinary at the time of the claimed invention to use an organosilane precursor as taught by Shibuta with the device of Deevi so as to make a given resistivity conductor. The limitation that the non-conductive particles having longest dimension of 2-500 micrometers is an obvious variant since as per *St.Regis Paper Co. v. Bemis Co.*, 193 USPQ 8 a change in size of a component involves only routine skill.

Claim Rejections - 35 USC § 103

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

Claim 2 is rejected under 35 U.S.C. 103(a) as being unpatentable over Deevi in view of Imai et al.(U.S.Pat.4,074,001). Deevi does not explicitly show a sol-gel precursor comprised of compounds from the group of alkyl-alkoxysilanes. Imai discloses a fixing roll for electrophotography that shows suing an alkyl-alkoxysilane precursor. It would have been obvious to one of ordinary skill in the art at the tiem of the claimed invention to use an alkyl-alkoxysilane precursor as taught by with the device of Deevi so as to provide a releasing property to a fixing roll.

The prior art made of record and not relied upon is considered pertinent to applicant's disclosure. Shibuta is cited to show structure and methods similar to the claimed invention.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to DANIEL L. ROBINSON whose telephone number is (571)272-4788. The examiner can normally be reached on m-f 5:30-2:30.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Tu B Hoang can be reached on 571-272-4780. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

Dlr
/Daniel L Robinson/
Primary Examiner, Art Unit 3742

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